STAND. COM. REP. NO. 4

Honolulu, Hawaii

APR 0 9 2015

RE: S.C.R. No. 82 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

## Madam:

Your Committee on Ways and Means, to which was referred S.C.R. No. 82 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NONEXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS FRONTING THE PROPERTY IDENTIFIED AS TAX MAP KEY: (1) 3-6-001:017, WAIKIKI, HONOLULU, OAHU,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to issue a term, nonexclusive easement covering a portion of state submerged lands fronting the property identified as tax map key: (1) 3-6-001:017, Waikiki, Honolulu, Oahu, for the use, maintenance, and repair of the existing pier constructed thereon.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that section 171-53, Hawaii Revised Statutes, requires the prior approval of the Governor and prior authorization of the Legislature by concurrent resolution for this disposition of state submerged lands.

Your Committee notes that in 2014, the existing pier fronting the subject property was determined to encumber approximately one hundred ninety-nine square feet of state submerged lands. Your Committee further finds that on February 27, 2015, under agenda

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item D-14, the Board of Land and Natural Resources approved a request for a fifty-five-year nonexclusive easement by the owners of the subject property, Wilton Allen Doane, Jr., and Christina Dao Doane. The owners agreed to make to the State as consideration for the easement a one-time payment to be determined by an independent appraisal establishing fair market value, subject to review and approval by the Chairperson of the Board of Land and Natural Resources.

Your Committee has amended this measure by specifying that:

- (1) The prior owner of the property had a revocable permit issued by the Board of Land and Natural Resources for the existing pier fronting the property covering approximately two hundred eighty-eight square feet of state submerged lands; and
- (2) The term, nonexclusive easement authorized by this measure will cover the existing pier, an estimated area of two hundred eighty-eight square feet, more or less, subject to confirmation by the Department of Accounting and General Services.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 82, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 82, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Ways and Means,

JILL N. TOKUDA, Chair

## The Senate Twenty-Eighth Legislature State of Hawai'i

## Record of Votes Committee on Ways and Means WAM

The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:  The Recommendation is:  Pass, unamended 2311  Members Aye Aye (WR) Nay Excused  TOKUDA, Jill N. (C)  KOUCHI, Ronald D. (VC)  CHUN OAKLAND, Suzanne  DELA CRUZ, Donovan M.  ENGLISH, J. Kalani  GALUTERIA, Brickwood  HARIMOTO, Breene  INOUYE, Lorraine R.  RIVIERE, Gil  RUDERMAN, Russell E.  SLOM, Sam  TOTAL  Recommendation:  Wadopted  Distribution: Original Yellow Pink Goldenrod	Bill / Resolution No.:*	Committee	Referral:	Da	te:		
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\*Only one measure per Record of Votes